

Rejection under 35 U.S.C. 103

Claims 10-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Poten et al.* (US 5,249,907).

Examiner argues that the belt has a first end fixedly and permanently connected to the first end of the carriage. This is not so. The belt is a loose part and is never permanently connected to the carriage. The first end of the belt is hooked to a slot in the ramp plate 4 across the slot 25 when the wheel has been driven onto the carriage and after the ramp plate 4 has been swung upwardly (col. 2, lines 55-60):

“For effectuating the rear fixing of the wheel 30, the ramp plate 4 is swung upwardly. A clamping **band 26 is hooked** on the ramp plate 4 across a slot 25. The clamping band 26 is **selectively releasable and tensionable by means of a clamping device 7** which is arranged on the well 2.”

The first belt end is hooked to the upwardly pivoted ramp plate after it has been moved into the upward securing position. The first end is **not fixedly and permanently connected** to the first end of the carriage. The second belt end is also **not fixedly and permanently connected** to the carriage but releasably attached by the clamping device.

The examiner’s statement that a first end of the belt (be it the one at clamping device 7 or the slot 25) is **fixedly and permanently connected** is wrong; this feature of claim 10 is not shown in *Poten et al.*

The examiner argues further in Response to Arguments section that the belt in *Poten et al.* is connected to the end of the carriage where the ramp is located by intervening structure (i.e. the ramp itself) and that this is a fixed attachment, otherwise the tension would not hold the wheel.

Applicant respectfully submits that claim 10 does not simply read “fixed” but reads **“fixed and permanently connected”**. A hook connection is not a permanent connection; it can be released and reconnected at will. It may be “fixed” - securely fastened - so as to withstand tension but it is not a **permanent connection**.

Examiner further states that the ramp is a separate part that has a first end detachably connected to the carriage and that is hooked to the axle of the carriage.

Poten et al. discloses that the ramp is pivotably connected to the carriage by trunnions 12 supported in the well of the carriage.

This is not a hook connection involving a hook structure as claimed in amended claim 10 (claims 14-16 have been incorporated into claim 10) where the hook structure (the

hook structure is shown in Fig. 1c as well as Fig. 3b; replacement sheet Fig. 1c shows hook structure 6a and the projecting extensions 6b) engages from above the axle 8 of the carriage. As set forth in the specification (page 3, 1st and 2nd paragraphs), the separate configuration of ramp and carriage has the advantage that the ramp in the driving position, i.e., in the position of use of the rolling device, can be removed and is not disruptive for the operation of the device. In the position of non-use of the rolling device, the ramp can be placed into the wheel depression of the carriage. By hooking the ramp from above onto the axle, a safe yet detachable connection between the carriage and the ramp is provided that ensures that these two parts cannot become detached when driving the wheel onto the carriage. Since the ramp can be hooked from above onto the carriage, mounting and demounting are simple. This is not shown or obvious in view of *Poten et al.*

Claim 10 as amended is therefore not obvious in view of the cited reference.

Reconsideration and withdrawal of the rejection of the claims under 35 USC 103 are therefore respectfully requested.

CONCLUSION

In view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Should the Examiner have any further objections or suggestions, the undersigned would appreciate a phone call or **e-mail** from the examiner to discuss appropriate amendments to place the application into condition for allowance.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on May 29, 2009,

/Gudrun E. Hockett/

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GEH/replacement sheet Figs. 1a to 1c